Full Length Research Paper

Ethnic politics and post-election violence of 2007/8 in Kenya

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Based on primordial and essentialist theories of ethnicity, the paper critically interrogates the trajectory of politics since 1963 in Kenya. The objective was to explain the causes of ethnic politics in Kenya which led to the political assassination of the 1960s under Jomo Kenyatta, the ethnic clashes of Moi era and culminated into the 2007/8 post election violence of Kibaki presidency. Under Kenyatta (1963-1978), Kenya experienced relative political and economic prosperity and stability but with an entrenched authoritarianism and ethnic favouritism. The Moi regime (1978-2002) and Kibaki Government (2003-2013) fared no better. This paper seeks to analyze the ethnic praxis to find out the nature, extent and impact of negative ethnicity in the country. It is argued by most post-2007 literature that the causes of violence included poverty, underdevelopment, political marginalization, ethnic exclusion, manipulated electoral process, lack of institutions to mediate in case of election malfeasance and the long held historical injustices over how land distribution was managed in the Kenyatta regime after the end of colonialism. Pursuing a historical methodology, we argue that to prevent political violence in future, the principle of constitutionalism must be upheld. The 2010 Constitution suggested devolution, truth and justice commission, gender and ethnic parity in state appointments and a trustworthy electoral system as means of preventing future conflicts and violence.

Key words: Ethnic politics, post-election, violence Jomo Kenyatta, and Kenya.

INTRODUCTION

In 1962 Julius Nyerere said the following:

When the nation does not have the ethic which will enable the government to say: "we cannot do this, [because] it is un-Tanganyikan (un-Kenyan)' or the people to say "That we cannot tolerate it [as] it is un-Tanganyikan." If the citizens do not have that kind of ethic, it does not matter what kind of constitution you frame. They can always be victims of tyranny. What we

must continue to do all the time is to build an ethic of this nation, which makes the head of state who ever he is to say, "I have power to do this under the constitution but I cannot do it [as] it is un-Tanganyikan" (Nyerere, 1970*).*

In his opinion, the late President Nyerere, suggested that national leaders should be guided by high moral, ethical standards and values as they offer leadership to the citizenry. Guided by high moral values, leaders would

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avoid nepotism, corruption and negative ethnicity. Branch stated that people across Kenya joyfully celebrated independence from British colonial rule, anticipating a bright future of prosperity and social justice. As the nation approaches the fiftieth anniversary of its independence, the people's dream remains elusive. During its first five decades Kenya has experienced assassinations, riots, coup attempts, ethnic violence, and political corruption. The ranks of the disaffected, the unemployed, and the poor have multiplied (Branch, 2011). Examining Kenya's challenges since independence, Kaimenyi and Ndungu, (2005) have categorically stated that ethnic groups are permanent interest groups that compete in the market for wealth transfer and they employ violence to take control of the government to redistribute benefits to their members. Similarly, Okoth (2008) has argued that the concept of ethnicity is useful in the study of the development of new political cultures in situations of social change in the third World because in such societies petty divisionism abound though the term is also used in western societies. He adds that there was a shift in Anglophone scholarships in Anthropological discourse from using the term 'tribe' to the term 'ethnic group'. The use of the latter term suggests contact and interrelationships [between people]. The terminological switch from 'tribe' to 'ethnic group' may transcend the narrow Eurocentric bias which the anthropologists were accused of using. When we talk of 'tribe' we impartially introduce a qualitative distinction between ourselves and the other people comparing the modern and traditional (primitive) societies. Ethnicity is an aspect of social relationship between agents who consider themselves as being culturally distinctive from members of other groups with whom they have a minimum of regular interaction. Oyugi has argued that ethnicity is a 'perceived identity' based on ascriptive criteria like common origin, language or culture and class (Oyugi: 1994). Thus the articulation of economic interests and sentiments of group solidarity is based on these criteria. The concept of ethnicity is hinged on a social formation that rests upon culturally specific practice and unique set of symbols and cosmology (Oyugi, 1998). It is a belief in common historical evolution and provides commonality on inheritance of symbols, heroes, football teams, values, identity, which leads to a situation of 'us' versus the 'other'. But ethnicity is also a tool for political survival used by politicians in Africa. Individuals are called upon to adopt ethnic identity as an explanation of who they are, their achievements and perception of the world. Through ethnic congregation, sections of citizens claim neglect and marginalisation from the realm of economic development. In Kenya the Luo, the Coast and Northern Kenya and other sections of the country have complained of economic neglect in last fifty years of independence.

Immediately after independence, President Kenyatta sought to frustrate his political opponents such as Bildad Kaggia, Masinde Muliro and Oginga Odinga, who was forced to resign as Vice President in 1966. In 1964, in order to exclude Odinga from any automatic succession, a new formula of succession was introduced and it stated that 'should the president (Kenyatta, 1938) die in office, the parliament would elect a successor to finish his term (Ogot, 1995). In addition to that between July 1967 and June 1968, there was acrimonious change in the constitution debate, frustrating Tom Mboya, a powerful minister and secretary general of the ruling Party, from taking over, if the president died. In effect both Odinga and Mboya were victims of ethnic politics that sought to exclude the Luo from getting the presidency, a feeling repeated in 2013 General Elections when former Prime Minister, Raila Odinga lost the presidency controversially, once again to Uhuru Kenyatta, the son of the late Jomo Kenyatta.

It is crucial to note that ethnic violence in 1992, 1997 and 2007 was the result of bad governance and lack of strong institutions, or failure to respect those institutions leading to autocratic state. But what is an autocratic state? According to Odhiambo-Mbai (2003), 'autocratic state is characterised by personal rule', where the individual ruler is a semi-god, similar to ancient absolute rulers in Europe. Kenya suffered ethnic politics and subsequent political conflicts because.I It was under autocratic governance. An autocratic state, according to Mbai, is characterised by lack of popular participation by citizens in governance, prevalence of ineffective political party politics, lack of well articulated ideology, use of force or coercion in order to enforce political obedience and little institutionalisation of governance hence personal rule (Odhiambo-Mbai, 2003).

Another characteristic of ethnic based governance is the existence of a patron-client relationship in the state machinery. In Kenya the president is always the chief patron of all the farmers in the country, commander of all armed forces, and up to 2004, chancellor of all public universities. All ministers, ambassadors, military chiefs and parastatal heads are appointed directly by the president making him a single most important person in the land, more powerful than parliament, of which he is a member, because he is in charge of its calendar. In theory, the patron-client relations that existed in the country involved the establishment of a chain of patron-client ties extending usually from the centre of a personalised regime.

That is to say that there is a link running from the top leadership to his lieutenants and other followers and through them to their followers up to the local level (grassroots). This system of linkage is characteristic of poor governance in Africa and existed in Kenya where the president was the chief patron, assisted by the military officials, ministers and other local administrators. The rationale for the establishment of this type of political linkage is to ensure access to rewards by the patrons upon the fulfilment of certain political obligations by the client.

THEORETICAL AND METHODOLOGICAL ORIENTATION

This work is based on library research and the review of newspapers, new books on Kenya and other secondary sources, which have been critically assessed and corroborated with other sources to attain authenticity. Weber defines ethnic groups as 'those human groups that entertain a subjective belief in their common descent because of similarities of physical types or of customs or both' (Malesevic, 2004). In other words, ethnicity is rooted in the belief of common descent and presumed identity. But he hastens to add that ethnicity only comes to play and relevant during political mobilisation. Writing on ethnicity, Barth (1969) stated 'we give primary emphasis to the fact that ethnic groups are categories of ascription and identification by actors themselves.' He continued to state that 'ethnic identity entails criteria for determining membership and ways of signalling membership and exclusion' (Eriksen, 2002). By implication, ethnic groups set their own categories of identifying each others, distinctively from the other. Ethnicity has been studied under the concept of 'primordialism' and 'instrumentalism' in this paper. By primordial theory is meant the "given" by nature or God or the assumed given of social existence, immediate contiguity and kin connection mainly, but beyond that the givenness that stems from being born into a particular religion, community, speaking a particular language or even a dialect of a language, and following [given] social practices. Primordialism is underpinned by the congruities of blood, speech, customs and so on which are seen to have an ineffable, and at times overpowering coerciveness in and of them. Under the neo-primordialist theory, one is bound to his/her kinsmen, her neighbour, other family members and one's fellow believer (Eriksen 2002). Indeed, 'ethnicity is a categorical ascription and classifies a person in terms of his basic, most general identity, determined by his origin and background. American sociologist, David Riesman, first used the term in 1953 but the word "ethnic" is older having been used in the Bible to refer to Jews. Ethnicity therefore, refers to minority issues versus the majority or race relations. It also means aspects of relationships between groups, which consider themselves and are regarded by others, as being culturally distinctive. The term ethnicity is also perceived as relationship between groups whose members consider themselves distinctive and these groups may be ranked hierarchically within society.

Essentialist approach enunciates that, 'it is through ethnic identification that competition for influence in the state and in the allocation of resources takes place' (Rawlinson, 2003). As a result ethnicity underlines the competition for political and subsequently economic power. Class is thus relegated. Instead of contesting for resources in terms of the rich and poor classes as it happens in Western societies, in Africa, this is done via ethnicity, leading to ethnic violence and political problems. Ethnic tension usually results from the perception of inequitable access to resources among groups and the fear of marginalisation from power as demonstrated in Uganda by the mutual distrust between the Baganda and other ethnic groups in Uganda and in the case of the Igbo in Nigerian ethnic conflict over economic supremacy. This promotes client-ethnic relationship between the leading elites of respective ethnic groups keen on maintaining the status quo. This system forms a dense trickle-down network of patronage sustained by channelling the state's revenues to one's own groups and followers through rent seeking and corruption (Rawlinson, 2003). Through essentialism, sectarian political leaders use numerical or strategic advantages to create more districts, universities and infrastructure in their ethnic domains to the chagrin of other deserving regions of the country. This leads to skewed development and political dissatisfaction as we have witnessed in Kenya, Uganda and Rwanda, among others.

As a corollary politicians in Africa are at times forced to by circumstances of survival to practice ethnic politics, for example, once one political party opts for home or ethnic support, like in 2007 and even the 2013 elections in Kenya, it becomes rational for any rival party to define and consolidate its own ethnic base leading to ethnic ideology guiding political agenda instead of issues. As a culture of politics or as apolitical resource, ethnicity is a phenomenon of the post-colony that dates back to the bargaining for independence in 1960. It involves the cultivation and then politicisation of old and newly invented primordial sentiments and stereotypes. In this respect it is an aspect of neo-traditionalism in that tends to glorify past cultural differences. For instance, culturally the Kikuyu circumcised their adolescents while the Luo never followed this culture.

This issue of whether to circumcise or not has been used to discriminate against the Luo in the past political contests. Sometimes, we wonder whether to consider ethnicity as a political ideology, but one shudders at the likely violent consequences. Parties and whole ethnic groups are faced with a prisoner's dilemma, in which, whilst the outcome may be catastrophic for all concerned, no party can abstain from using ethnically based strategies for fear of losing out to the other ethnic mobilisation of an opponent hence campaign issues become couched in ethnic terms (Rawlinson, 2003). The instrumentalist use of ethnicities according to John Lonsdale (1971) is successful because it goes on well with strong cultural identification with the ethnic groups on the part of the followers. Citizens in such a situation have a deep seated allegiance to traditional and cultural leaders and tribal chiefs who are often seen as political and economic elites. The political mobilisation of ethnicity replaces class mobilisation leading to false consciousness of the population along ethnic lines. The instrumental use of ethnicity has under-mined the

emergence of cohesive national identities in Kenya as this paper argues.

The praxis of ethnic politics

On the question of ethnicity in Kenya's political past, President Obama, in 2009, while addressing Parliament in Ghana pointed out that:

In my father's life, it was partly tribalism and patronage in an independent Kenya that for a long stretch derailed his career and we know that this kind of corruption is a daily fact of life for far too many. A future that so many in my father's generation expected was never found due to poor governance; [thus] governments that respect the will of their own people are more prosperous, more stable and more successful than governments that do not (President Barrack Obama's speech in Ghana on 10/7/2009)

The above quote implies that in Kenya negative ethnicity got a renewed impetus after independence. The Jomo Kenyatta regime began well but after consolidating power in 1964 through constitutional amendments, embarked on Kenyanisation of the economy, which turned out to be ethnicisation. Since 1966, when Kenya African National Union (KANU) became the most important political party in Kenya, to 1978, when Kenyatta died, ethnicity in Kenya was manifested in a myriad ways. This was visible in public appointments and political party formations. In Kenya your name suggested you ethnicity and region. Ethnicity was also seen in resource allocation. The president's region had the best schools, roads and industries. There were ethnic based associations such as New Akamba, Luo Union and Gema, which offered a sense of economic security amidst ethnic competitions. Senior government positions were appropriated on ethnic affiliations rather than merit leading to discontent and ethnic tensions across the country.

KENYATTA ERA AND THE BIRTH OF ETHNIC POLITICS

Kenyatta perfected the art of sidelining his colleagues, political assassination and manipulating electoral process in favour of the incumbency. As a corollary, When Kenya became a one-party state in 1969 Kenyatta ruled the country with a clique around him mainly from his ethnic Kikuyu, who eventually alienated other groups in Kenya from the political and economic order for his entire reign(1963-1978). Although Kenyatta did not instigate ethnic clashes, he targeted eminent persons from ethnic groups that he felt were a threat to his leadership. Many people were assassinated including Pio Gama Pinto (Kenyan Indian), JM Kariuki (Kikuyu) Tom Mboya, D.O

Makasembo, Arwgings Kodhek (all Luo) Ronald Ngala (Mijikenda of Coast), Seroney (Kalenjin) among others. This was a strategy that Moi also adopted at the height of his reign when prominent persons were assassinated or died in mysterious circumstances. They include Robert Ouko, Owiti Ongili, Otieno Ambala, Hezekiah Oyugi (all Luo) Bishop Kipsang Muge, (Kalenjin), Adungosi and Muliro (all Luhya,). Many students, journalists, lecturers, and politicians like Raila Odinga, Charles Rubia, Keneth Matiba, Martin Shikuku, among others were also detained and tortured (Ong'ayo, 2008).

According to the *Sunday Nation* (30. 11. 2008), 'Kenyatta's first cabinet in 1964 had 16 members including himself. Of these, seven were from the Kikuyu community; four were Luo, one Kisii, one Luyia, one Kalenjin and one European. Similar cabinet inequalities in favour of the Kikuyu were replicated in 1969 and 1974.' The report adds that the civil service and the provincial administration, an important support of Kenyatta's administration was not spared. In 1970, the Kikuyu alone occupied nine out of 22 permanent secretary positions (chief executive in the ministries) (Nation, Nov 30, 2008).

So at his death, in 1978, six out of the eight Provincial commissioners were Kikuyu and majority of the District Commissioners, District Officers and heads of Departments and parastatals were from the Gikuyu, Embu, Meru (Gema) communities (Kirimi and Ochieng, 1980). The impact of this flawed government appointments was that economic development was mostly experienced from those regions that produced senior government officers. In effect, opportunities for other Kenyan ethnicities were narrowed; there was lopsided development trajectory for the nation with other regions such as Eastern and North eastern regions being disadvantaged.

The president's region, which was also favoured had been home to the white highlands, where most settlers were, continued to have a head start in economic resource allocation. Consequently, the Luyia, Kamba, Mijikenda, Turkana, Taita, Somali, Maasai, Samburu, Kisii, Kuria Pokot, Ogiek, and other communities are felt out in this new power dispensation. The sad reality is that if you are not from the big communities in Kenya, you stood little chance of making it in government and the private sector. Through consolidation of political power and ethnic engineering, Kenyatta managed to make the republic of Kenya, *a de facto* one party with a dominant president. Members of KADU, formerly an opposition party were persuaded after 1964 to cross the floor in parliament and join KANU, the ruling party, which now became dominant (Mwaura, 1997). Kenyatta centralized political power in his office. He was then empowered with the authority to appoint and sack ministers including the vice-president and all civil servants. The appointment of senior administrative officers helped cultivate a patronage system in which all parts of the country enjoyed some form of patron-client relationship. Kenyatta then initiated

moves to reduce competition for political dominance by initiating internal purge in KANU and also being in control of Electoral Commission of Kenya, a fact inherited by President Moi in 1978 and later Mwai Kibaki in 2002. Indeed the roots of ethnic conflict in Kenya were reinforced by these political manoeuvres in the newly independent Kenya. Through the 1966 Limuru Conference the myth of ethnic unity between the Luo and the kikuyu was badly shattered when Odinga, the Vice-President was politically marginalized as ideological differences emerged on land and control of state power.

Odinga, frustrated by the political maneuvers, subsequently formed Kenya Peoples' Union (KPU) in 1966 where he together with political colleagues such as Bildad Kaggia and Achieng Oneko sought political refuge. In response, the government came up with constitutional amendments that led to the 1966 'little elections' in which the government contained and frustrated Odinga's ambitions of ever leading Kenya. In October, the president's motorcade was stoned in Kisumu because the Luo felt that Odinga, their leader had been marginalized. The security apparatus responded by shooting into the crowd killing a few Kenyans. This event traumatized the Luo and Kenyatta never visited Kisumu until he passed on in 1978. Ethnic animosity was inflamed again in July the same year when another popular national leader and Secretary General of KANU, Tom Mboya was assassinnated further poisoning the Luo-Kikuyu political conflict. Following riots in Kisumu and Nairobi over Mboya's death, KPU was banned and its leaders arrested and detained (Mwaura, 1997).

In the 1974 General Elections, Kenyatta had turned KANU, his vehicle for political control and subjugation, a tool of carrot and stick to politicians in the country. All candidates now had to be members of the ruling party, as all other parties had been either absorbed or banned. Former KPU members were technically disqualified from participating in elections, hence the birth of poor governance and abuse of power that led to impunity in the country.

MOI AND KANU: CONSOLIDATION OF ETHNIC POLITICS

From 1990, Kenya underwent a series of profound political changes, culminating in multiparty politics, which resulted in a political struggle between different political leaders. This period was marked by power brokers exploiting their ethnic backgrounds to drum up support to their own political advantage. The re-introduction of political pluralism, ethnic suspicions, hostility and witch hunting have culminated in 1992, 1997 and 2007 massacres in Kenya, destruction of property, socio-economic uncertainty and insecurity. The new democratic space from the 1990s generated a vicious struggle for political power, capital accumulation and unforeseen

cutthroat rivalry for domination and control of strategic resources across the nation (Kagwanja, 2010). In Kenya, the government's reluctance to expand the democratic space caused the ethnic conflicts in the country (Osamba, 2001). On October 10th 1978, President Moi took over the reigns of power, a few days after being elected unanimously as the chairman of KANU and he soon embarked on the journey of consolidating his position with the support of former lieutenant of Kenyatta: G G Kariuki, Kibaki and Attorney General Charles Njonjo. He declared that he would follow the path (*nyayo*) of his predecessor. In the 1979 elections, KANU became important as the only political party. Life membership to the party remained an important part of his grand plan of enhancing patron-client relationship from the president to the grassroots. Once again, Odinga and his associates could not be cleared to contest in the election allegedly because they had failed 'loyalty test' as promulgated by the Secretary General, Nathan Munoko. Together with Odinga, those denied clearance included Achieng Oneko, a former detainee with Kenyatta during Mau Mau, Okello Odongo, Luke Obok and Ocholla Mak'Anyengo, most of them Luo (Weekly Review, 21/11/1979).

On assuming power, Moi, a Kalenjin from the Rift Valley province also embarked on taming the Kikuyu. His first cabinet reflected national representation while reducing the numerical strength of the Kikuyu in the cabinet and the provincial administration. He attempted to woo back the Luo from the political wilderness by luring Odinga with a job as a parastatal chief. Moi reinforced the politics of patronage, which engendered an unprecedented corruption in our political system. The Kikuyu elite still dreaming of power saw him as a mere 'passing cloud'. Soon Kibaki lost his position as Finance Minister to Arthur Magugu while Njonjo, who had retired as Attorney-General in 1980 and was given a powerful position as the Minister for Constitutional Affairs faced an inquiry in 1983 and was forgiven by the President in 1986 as a humbled man having lost his cabinet role his political power drastically reduced. By reducing the power of Kibaki and Njonjo, the Kikuyu influence was finally capped. In consolidating his position further, Moi introduced free primary education, free school milk and increased by 10 per cent, employment in the public sector (Mwaura, 1997). He then banned all ethnic based welfare organizations belonging to the Luo, Kamba, Kikuyu, Embu, Meru, Kalenjin, Luyia etc. But this action did not mean that Moi was fighting ethnicity, rather he was positioning his Kalenjin community to take over in the main sectors of the economy.

It was probably Odinga who suffered the most from ethnic based politics because from 1969, when he formed an opposition party, he never saw the Parliament again. Using the existing one party, the state blackmailed him and frustrated his efforts at political comeback. For instance in 1980 Odinga was barred from returning to full political life (Guy, 1980). A by-election called in April that

year in Bondo Constituency after its MP, Ezekiel Ougo had resigned in order to allow him run would undoubtedly have returned Odinga. KANU, under Moi disallowed him to contest after he had referred to Kenyatta as a land grabber. Yet this was his third abortive attempt to return to parliament since 1969. This was one grand betrayal against Odinga and his Luo community's ambitions.

In May, 1982, Odinga and a number of radical University lecturers, mostly Luo and Kikuyu, were accused of engaging in divisive politics and spreading Marxism. No alternative political space was left for Kenyans and in June, Odinga and George Anyona were nipped in the bud when they attempted to form Kenya African Socialist Alliance as an alternative political voice. Once again, through parliamentary amendment section 2A was introduced in the constitution which made Kenya a *de-jure* one party state (Atieno-Odhiambo, 1998). Subsequently Odinga was put under house arrest further worsening political tension in the public sector and even within the military. Leaders such as Anyona and George Khaminwa were locked up followed by several others like Mukaru Nganga and Maina Kinyatti. These detentions coupled with dissatisfaction with the prevailing economic problems led to tension within the military. On August 2 1982, the Kenya Air Force staged an abortive military coup d'etat against the Moi regime, an action that threatened his grip on power.

As a result, several military officers were court mar-tialled and imprisoned as some were to death sentences. Apparently many of them were Luo. Moi was incensed and as a result, Raila Odinga, the current Prime Minister and Professor Vincent Otieno were detained. Between 1986 and 1990 several politicians such as Kibaki, Josphat Karanja and Njonjo had their long political relations with Moi sharply derailed as they were dropped from their former political positions. They were replaced by up-coming Kalenjin politicians and businessmen, Ezekiel Bargetuny, Nicholas Biwott, Henry Kosgey, Philomen Chelagat and Jonathan Ngeno. In March 1988 General elections, the secret ballot was replaced by *mlolongo* or queue-voting system in which any candidate who garnered 70 per cent in nomination process was con-sidered to have been elected un opposed (Mwaura, 1997) The objective was to rid parliament of opposition elements and consolidate Moi's power in the land. Criticism against the government increased.

In 1990 a popular Foreign Affairs Minister, Robert Ouko was assassinated for trying to disclose corruption report to the press. The country, especially Nairobi and Kisumu, which has a huge Luo population experienced riots and the situation became chaotic, with donors withholding aid. With Moi cornered, he reacted by throwing current Prime Minister, Raila Odinga, Kenneth Matiba and Charles Rubia into detention without trial, an act which heightened ethnic conflict in the country. For the first time since the 1960s, there was now an apparent Luo-Kikuyu unity in opposition against Moi regime,

though a short-lived one. As a result the Kalenjin ethnic group instituted a lethal ethnic attack against Luo, Luyia and Kikuyu who lived in the Rift valley province in 1992 (Ogot, 1995). The resultant pressure in the 1990s from civic bodies, political activists and foreign nations led to the repeal of section 2A in 1991. This allowed multiparty system back and by 1992, a massive political pressure group, the Forum for the Restoration of Democracy (FORD), which later became a political party, before splitting, was formed by the late Masinde Muliro. However, after allowing parties back into the political field, Moi, a reluctant reformer, continued insisting that he was forced to re-introduce the political parties by Western nations and poor economic conditions at home.

Having spearheaded the fight for a return to a multiparty system in 1990s, Jaramogi Odinga and Luyia leaders such as Masinde Muliro, Wamalwa Kijana and martin Shikuku had led other Kenyans in forming the Forum for the Restoration of Democracy (FORD,) a formidable political opposition to KANU. But due to tribalism, Kenneth Matiba, who was ailing in London was called to challenge Odinga, leading to the split of the party into FORD-Kenya led by Odinga and FORD-Asili under Matiba (Kikuyu). Yet Odinga was at this time expected to be the compromise candidate in removing Moi from power but ethnicity and Kikuyu-Luo rivalry fru-strated these efforts of possible unity. The 1992 General Elections witnessed one of the worst ethnic conflict and clashes in the rift Valley, probably the greatest threat to stability that we had enjoyed since independence. The opposition led by Kikuyu (Matiba), and Mwai Kibaki of the Democratic Party of Kenya and Luo, Odinga, accused the Moi regime of ethnic cleansing of *madoa doa* (aliens) from the Rift Valley province but the government in turn accused the opposition of being behind it.

Following the 1997, in January 1998, the world was shocked by the massacre of Kenyan men, women and children over a few days in the valley of death, officially known as the Rift Valley. Kenyan conscience was shaken by systematic reports of rape and 'ethnic cleansing.' While such horrors are not new in the annals of human cruelty, they are systematically hidden and trivialized by the autocratic state authorities (Maupeu et al., 2005). The most dramatic Luo-Kikuyu unity occurred in the 2002 Presidential elections. In order to remove Moi from power Raila Odinga and Mwai Kibaki, two leading politicians, put aside their ethnic differences in 2002. For the first time since Multi-party politics began, Kenyan politicians united against KANU successfully sending it packing as Kibaki who led National Rainbow Coalition (NARC) into victory took over as the new President in 2003. In these elections, KANU represented the so-called marginalized ethic groups known as Kalenjin, Maasai, Turkana and Samburu (KAMATUSA). This Raila-Kibaki unity was fundamental because in 1992 and 1997 ethnic rivalries between Kikuyu and Luo had given Moi an easy victory. It was clear that ethnic unity could change the political

situation in this country.

On ascending to power, however, president Kibaki, unfortunately, dishonoured the Memorandum of Understanding between him and Raila leading to more acrimonious relations between the Luo and the Kikuyu (Oloo, 2005). He decided to follow the *nyayo* of both Jomo Kenyatta and Moi in appointment of senior government officials and monopolizing of power to the chagrin of their coalition partner, the Liberal Democratic Party (LDP) led by Raila. The differences between coalition parties, LDP and National Alliance Party (NAK) led to entrenched political conflict that culminated in the government losing the 2005 Referendum on the new constitution (Holmqiust and Githinji, 2009).

The year 2007 was of relative calm. After a phase of tension and recurring ethnic tension between 2003 and 2005, things changed gradually following government's loss in the Referendum. As elections approached, in mid year the political climate changed and bitter political exchanges combined by major political fallout between Raila led mass opposition party, Orange Democratic Party (ODM) and the Kibaki led government. Thus after the 27, December 2007 General Elections, ethnic tension turned bitter as the opposition alleged that elections had been rigged by President Kibaki's Party of National Unity (PNU). By the end of the Post Election Violence (PEV) more than 1300 Kenyans were dead and more that 300,000 lived as internally displaced Peoples (IDP) yet the roots of this ethnic and political conflict can laid squarely on negative ethnicity, historical injustices and the 1992 and 1997 ethnic wars in the country. The Kibaki regime, like its predecessors, had failed to bring a sense of nationalism and patriotism across the ethnic groups. Okoth (2008) pointed out that 2007 violence had been caused by underdevelopment, economic competition and historical injustices (Okoth, 2008). The violence was the product of many years of 'manipulated electoral processes, ethnicisation of politics and the betrayal by Kenyatta regime on land that he allocated to his cronies in the Rift Valley and the flawed elections' (Ong'ayo, 2008).

Characteristics of politics of ethnicity in Kenya

According to Wanyande et al. (2007), political regimes in Kenya and Africa as a whole, suffered specific challenges after independence, which included the above mentioned problems as well as 'poor government representation and accountability, lack of respect for ethics and rules, unjust distribution of national resources for prosperity. In post-colonial Kenya, the process of political representation was watered down through deliberate changes on the constitution. One notable change was the shift from a multiparty to a single party electoral system. As a result of manipulate electoral system; there were illegitimate representatives who were not able to articulate the

people's interests. As a corollary, the independence of the courts of law from extraneous influence was undermined by the substantive lack of security of tenure for the judges in the face of the president's discretionary powers to appoint judges.

In the 2007 post election, which was underpinned by negative ethnicity, children were orphaned, women were widowed, women were raped and many became internally displaced people (IDP) especially in the Rift Valley leading to poverty. The worst effect was that security agents brutalized citizens in Kenya. As neighbours turned against each other, there was systematic destruction of social cohesion. Many years after the episodes of ethnic killings, the local economies were destroyed and people still live in poverty and in fear of neighbours. Yet the solution lies in long term policies that will guarantee national healing and cohesion through good governance and equitable distribution on national resources.

Another challenge to post-colonial state in Kenya was the skewed distribution of development resources due to ethnic and political patronage (Kaimenyi and Ndungu, 2005). One reason is that as population became bigger, resources became fewer than the needs of the society. The subsequent imbalance between resources and demands led to the introduction of a criteria of distribution based on ethnicity and nepotism with the President's tribe getting more than the others, that is , between 1963 and 1978, the Kikuyu.

The crisis of development and resource distribution in Kenya became acute in the mid-1980s following the introduction of the World Bank led structural adjustment Programmes. There were also the class-based disparities irrespective of ethnicity, which exacerbated the configurations. The class-based discrepancy that existed in the colonial era persisted into the post-colonial state, 'precisely because the class structure of society retained' (Wanyande et al. 2007). Indeed the post-colonial sate did not reform the 'bifurcated state' that was inherited from the past era. Instead in Kenyatta and Moi's Kenya, class power and ethnicity became increasingly intertwined. The concept of the 'tribe' became more fundamental as the Kikuyu (later Kalenjin) elites turned to their ethnic groups for support in their competition for scarce resources. The absence of an opposition political party in Kenya (after 1969) allowed Kenyatta and later, Moi respectively to a mass economic and political power for the control and regulation of their respective countries.

What is the solution? Guy argues that 'everyone else condemns negative ethnicity yet too often they do nothing else' (Guy, 1980). Pheroze Nowrojee, a prominent lawyer in Kenya has proposed that we should avoid politics of ethnic exclusivity (*siasa mbaya, maisha mbaya* of former President Moi), (National Star, 29/7/2009). As a panacea Kenya could also needs to implement the devolution of government at the grassroots. There is also need to address the historical injustices especially in the Roift Valley and the Coastal region as proposed by the Kofi

Annan committee in 2007/8 post-violence truce. Further, politics should be about the national interest rather than narrow ethnic nationalism. The country needs to come to terms with the 2008 negotiated Agenda Four on historical injustices in Kenya. Other measures need to ensure a reduction of economic disparity between the richest and poorest counties, which has been achieved in the 2010 constitution.. The politicians, who inflame ethnic passions during political contests, should contain political use of ethnic animosity and the glorification of false ethnic nationalism. In Kenya there have been Kiliku Commission, Kriegler Commission, Waki Commission and Alston Report whose findings have not been implemented. Granted there is now the Independent Electoral and Boundaries Commission (IEBC), a national integration commission and Kenya National Human Rights Commission yet as a nation we have failed to agree on how to deal with the suspects of the 1992, 1998 and 2007 ethnic violence; hence the intervention of the International Criminal Court (ICC) process. Kenya is more determined to break with the past but which way to go is the problem. The country needs a dedicated political will to deal with the past ethnic and land problems.

Other solutions and options include the creation of Truth Justice and Reconciliation (TJRC) led by Ambassador Bethwel Kiplagat (Kagwanja and Southall, 2010). However, poverty and underdevelopment continue to light the embers of ethnic animosity and we believe that negative ethnicity will be reduced with increased investments and economic prosperity, as pursued by Kenya under vision 2030.

Ali Mazrui states that, 'for a while class and ethnic antagonism will simply reinforce each other, but as the economy becomes more complex and its productive capacity becomes enlarged, kinship competition should begin to subside significantly' (Mazrui, 1979). Kagwanja has proposed voting based on electoral college in addition to the popular vote as a solution to big tribes ganging up to dominate the country (Kagwanja, 2010) This view is predicated on the fact that current system of voting is not representative enough. However, Mutiga has reminded us that Kenyans as a whole are not inexorably tribal. They do not bear deep seated, static hatreds like those of Muslim Shiites and Sunnis of Iraq and Iran.

There are no fixed and permanent hostilities among the Kenyan ethnic groups. Negative ethnicity is a game among the elite with constantly shifting boundaries (Mutiga, 2013)

Conclusion

The paper attempted to discuss the meaning of ethnicity and the causes of ethnic conflicts in Kenya since independence. Ethnicity is perceived as a perceived identity based on similar language, origin, culture and social and political orientation. With decolonization,

pioneer leaders in Kenya consolidated their power with ethnic based support, which led to exclusivist policies against sections of their citizens. The 2007/8 violence was the result of historical injustice, land allocations by Kenyatta regime, flawed elections, lack of institutional mechanism for conflict resolution and the general poverty and underdevelopment.. The theory of ethnicity is based on primordial and essentialist approaches, among others. Kenya witnessed ethnicity and political conflicts in 1992, 1997/8, 2007/8, all of which came after the coming of multi-party politics, which ecercabated ethnic competition for power and resources.

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